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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 07-0335 SI
)	
Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER EXCLUDING TIME FROM
v.)	SPEEDY TRIAL ACT CALCULATION
)	(18 U.S.C. § 3161(h)(8)(A))
MARTIN LEE SIMON,)	
)	
Defendant.)	

With the agreement of the parties in open court, and with the consent of defendant Martin Lee Simon, the Court enters this order documenting defendant's exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(c)(1), from July 16, 2007 through July 27, 2007, the date of the defendant's first appearance before the district court. The parties agree, and the Court finds and holds, as follows:

1. Defendant agreed to an exclusion of time under the Speedy Trial Act. Failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, in this case. Defendant requested this time exclusion in order to allow his counsel time to review discovery that has recently been provided by the government and discovery that has not yet been provided

1 by the government.

2 2. Given these circumstances, the Court found that the ends of justice served by
3 excluding the period from July 16, 2007 through July 27, 2007 outweigh the best interest of the
4 public and the defendant in a speedy trial. Id. at § 3161(h)(8)(A).

5 3. Accordingly, and with the consent of the defendant at the hearing on July 16,
6 2007, the Court ordered that the period from July 16, 2007 through July 27, 2007 be excluded
7 from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

8 IT IS SO STIPULATED.

9
10 DATED: July 17, 2007

/s/ _____
JOSH COHEN
Attorney for Defendant

11
12
13 DATED: July 16, 2007

/s/ _____
ALLISON MARSTON DANNER
Assistant United States Attorney

14
15
16 IT IS SO ORDERED.

17
18 DATED: _____

NANDOR J. VADAS
United States Magistrate Judge